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*Attorneys for Defendants X Corp., f/k/a Twitter, Inc.; X Holdings; Elon Musk; and Does*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

COURTNEY MCMILLIAN and RONALD COOPER.

## Plaintiffs,

V.

X CORP., f/k/a TWITTER, INC.,  
X HOLDINGS, ELON MUSK, Does.

### Defendants.

Case No. 3:23-cv-03461-TLT-RMI

**DECLARATION OF MELISSA D.  
HILL IN SUPPORT OF  
DEFENDANTS' ADMINISTRATIVE  
MOTION FOR LEAVE TO FILE  
SURREPLY IN OPPOSITION TO  
JACOB SILVERMAN'S MOTION TO  
INTERVENE**

Judge: Trina L. Thompson  
Magistrate Judge: Robert M. Illman

**DECLARATION OF MELISSA D. HILL**

I, Melissa D. Hill, declare as follows:

1. I am a partner at Morgan, Lewis & Bockius, LLP, and represent Defendants X Corp., X Corp. Holdings, and Elon Musk (together, “Defendants”) in this case. I am admitted *pro hac vice* before this Court. I submit this declaration under Local Rule 7-11(a) in support of Defendants’ Administrative Motion for Leave to File A Surreply In Opposition to Non-Party Jacob Silverman’s Motion to Intervene and Oppose Sealing of Judicial Records (“Motion to Intervene”). I have personal knowledge of the facts stated herein and could testify to them if called to do so.

2. On July 9, 2024, Non-Party Jacob Silverman (“Silverman”) filed a Motion to Intervene. On July 9, 2024, the Court granted Defendants’ Motion to Dismiss Plaintiffs’ Amended Complaint. Dkt. No. 97. The Court entered judgement and closed the case on July 31, 2024. Dkt. No. 106. On August 6, 2024, Silverman filed a reply in support of his Motion to Intervene. Dkt. No. 108. The hearing on the Motion to Intervene is set for October 1, 2024. Dkt. No. 99. On August 14, 2024, Plaintiffs filed Notice of Appeal to the Ninth Circuit Court Of Appeals regarding the Court’s Order granting Defendants’ Motion to Dismiss the Amended Complaint. Dkt. No. 109.

3. On August 19, 2024, Defendants contacted counsel for Silverman and proposed that they stipulate to permit Defendants to file a surreply supporting Defendants' position that Plaintiffs' Notice of Appeal divests the Court of jurisdiction. Silverman declined to stipulate to Defendants' request.

4. I declare under penalty of perjury under the laws of California that the foregoing is true and correct.

Dated: August 19, 2024

MORGAN, LEWIS & BOCKJUS LLP

By /s/ *Melissa Hill*

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